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[Medieval Georgia]

such favours was called *shedsqaleba* and the *sigeli* granting it— *dsqalobis-sigeli*. *Shedsqaleba* was practised widely in Georgia as well by the kings as by patrons, great and small. *Shedsqaleba* indeed became a powerful political factor as we shall presently see in the hands of the kings and was used to the advantage of the *msakhuri* class as against the *aznaurni*.

A separate group of *qmani* was constituted by the so-called *Nadsqalobevi qmani*. In the Code of Laws of Wakhtang VI (1703–24) these *qmani* were called *dsqalobis qmani*. Whether the same term was used in ancient times is not yet definitely known. A *nadsqalobevi qma* was one given away as a gift by way of *shedsqaleba*; such a *qma* was given by a patron to another loyal and *shedsqalebuli qma*.

Insolvency was one of the primary causes of the enserfment of free men. An insolvent debtor "*is slave of his creditor and a slave bought whose service is never-ending*" states one of the documents. This occurred often when money was borrowed at compound interest. Compound interest has this peculiarity that it "*early begins to accumulate and infinitely multiplies the original*". Thus because of the rapid increase by successive additions of the interest to the original loan, the debtor was in the end confronted with the payment of so great a sum that often he was unable to settle it and in consequence either he was compelled to become his creditor's slave or he died before he could effect a settlement of any kind. Then, to quote our source, "before the eyes unfolded the sight pitiable, the free sons for the debts of their fathers were taken for sale".[1]

A landowner would place a *qma* on his land only when it was vacant. The act of so placing a *qma* was called "placing or settling upon the land".[2]

Tributes or taxes paid by the peasants for holding lands for cultivation were called *begara*. *Begara* was of different kinds. A *begara* levied for holding vineyards was called *kalukhi* and for holding ordinary fields *ghala*.

The holding of lands subject to the payment of *begara* called in Georgian *sabegrod gatsema* did not necessarily entail the relation of serf to patron. The patron-client relationship demanded service or to use the Georgian expression "the slavish service" of a *qma*, and of a patron the placing or settlement of such a peasant on his land. *Sabegrod gatsema*

[1] See the eleventh-century *sigilni* of Nicortsminda in Jordania's *Kronikebi*, II, 47.
[2] *Ibid.*, p. 135.

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566 427 does not seem, so far as can be deduced from the eleventh-century *sigelsi* of Nicortzminda,[1] to have involved either of these conditions.

[1] See the eleventh-century *sigelsi* of Nicortzminda in Jordania's *Kronikebi*, II, 42.

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shepherd received a flock of sheep or herd of cattle from anyone to care for, he kept them together with his own flock. For his work he received all the milk from both herds; and any increase was divided between the shepherd and the owner of the flock or herd, according to the number of head of cattle or sheep. Among the Pshavs, the shepherd was paid with a part of the increase, which generally consisted of forty young (six-months old) sheep. If a shepherd left the flocks without his master's permission, and if some damage occurred to the flocks at that time, he was requested to make reparation; and in a case where the flocks were seized or driven away by an enemy, the shepherd lost his wages.[4]

The arable land was rented usually under the following condition: the lease-holder deducted from the harvest received by him the amount of sowing-seed used, and half the rest was paid as rent to the owner of the land.

In all the above mentioned contracts, it was permissible for several persons to accept joint responsibility. The one among them who paid first acquired the right to demand from his fellow partners their obligatory share of payment.

A particular feature is found among the Khevsurs, the order of debt security by guarantor (the *mzevali*). The creditor has full right to compel any member of the debtor's community to act as *mzevali*. This law has its foundation in the form of the social organization where group solidarity and reciprocal responsibility were the basis. The person who pays the debt of another man acquires toward the debtor the same rights as the owner of a stolen thing has toward a thief; that is, he has the right to demand from the debtor a payment equal to double the original sum. If the debtor avoids payment again at this time, the *mzevali* (guarantor) chosen by the creditor transfers his rights to a third person, who in turn acquires the right to receive from the debtor not double but four times the sum of his original debt. As an illustration of this custom, we may mention the following fact:[5] A rich Khevsur living in the valley of Ersto, by the name of

[4] Zisserman: 251.
[5] Khudadov: XIV, 1.